

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Local Exchange Carriers' Rates,)
Terms, and Conditions for Expanded)
Interconnection Through Virtual)
Collocation for Special Access and)
Switched Transport)
TO: The Commission)

CC Docket No. 94-97, Phase I

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**OPPOSITION TO BELL ATLANTIC'S PETITION FOR RECONSIDERATION BY
THE ASSOCIATION FOR LOCAL TELECOMMUNICATIONS SERVICES**

Pursuant to §1.106(g) of the Commission's Rules of Practice (47 C.F.R. § 1.106(g)), the Association for Local Telecommunications Services ("ALTS") hereby opposes Bell Atlantic's Petition for Partial Reconsideration filed July 5, 1995, in the above proceeding.

**BELL ATLANTIC HAS FAILED TO SHOW ANY REASON TO RECONSIDER
THE COMMISSION'S PHASE I VIRTUAL COLLOCATION DECISION.**

Bell Atlantic's Petition for Partial Reconsideration contends that the Commission should reconsider its Order in this docket of May 11, 1995, in which it found Bell Atlantic's overhead loadings for virtual collocation services to be unlawful ("Phase I Order"; FCC 95-200, ¶103: "Our final prescription of the maximum overhead loading levels for Bell Atlantic, BellSouth, GTE, United and US West will ensure that these LECs' overhead loadings are set at just and reasonable levels"). According to

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Bell Atlantic, the Phase I Order disregarded the Commission's own standard for overhead loadings -- which recognized that services providing channel termination with and without interoffice mileage were each comparable for the purpose of calculating overhead loadings -- by prescribing overhead levels which failed to reflect overheads from channel termination services with interoffice mileage (Bell Atlantic Petition at 3).

But the fact that channel termination services with interoffice mileage are within the universe of "comparable services" does not determine the particular weight the Commission must give those overheads in prescribing new levels. The vast majority of interconnector services involves no channel mileage, so the Commission was factually correct in not including overheads from channel termination services with interoffice mileage in its calculations. ALTS has no quarrel with the theoretical comparability of interconnection services having interoffice mileage with similar Local Exchange Carrier ("LEC") services, but the Commission was not obligated to pretend that such services are an appreciable part of interconnector services in calculating prescribed overheads.

Bell Atlantic's petition must be denied in the absence of any showing by Bell Atlantic that weighing the calculation of prescribed overheads to reflect the proportion of collocation services with interoffice miles would have any appreciable effect. If the Commission were to consider granting Bell

Atlantic's petition, it should first reopen the record to permit the parties to submit evidence on this issue.

CONCLUSION

For the foregoing reasons, the Commission should deny Bell Atlantic's Petition for Partial Reconsideration.

Respectfully submitted,

**ASSOCIATION FOR LOCAL
TELECOMMUNICATIONS SERVICES**

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July 17, 1995

CERTIFICATE OF SERVICE

I, Monica McCarroll, do hereby certify that on this 17th day of July, 1995, copies of the foregoing "Opposition to Bell Atlantic's Petition for Reconsideration by The Association for Local Telecommunications Services" were served via hand delivery* or first class mail, postage prepaid, to the parties listed below.

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